

IC10 Rec'd PCT/PTO 07 MAR 2002

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

1032-P02047US1

U.S. APPLICATION NO (If known, see 37 CFR 1.5

**10/070698**

INTERNATIONAL APPLICATION NO.

PCT/US00/42328

INTERNATIONAL FILING DATE

November 29, 2000

PRIORITY DATE CLAIMED

November 29, 1999

TITLE OF INVENTION

Combination Safety Needle Assembly and Medical Apparatus

APPLICANT(S) FOR DO/EO/US

John BARKER, Michael BOTICH, and Thor HALSETH

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
  2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
  3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
  4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
  5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
    - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
    - b. ☐ has been communicated by the International Bureau.
    - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
  6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
    - a. ☐ is attached hereto.
    - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
  7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
    - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
    - b. ☐ have been communicated by the International Bureau.
    - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
    - d. ☒ have not been made and will not be made.
  8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
  9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
  10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11 to 20 below concern document(s) or information included:
11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
  12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
  13. ☐ A FIRST preliminary amendment.
  14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
  15. ☐ A substitute specification.
  16. ☐ A change of power of attorney and/or address letter.
  17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
  18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
  19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
  20. ☐ Other items or information:

U.S. APPLICATION NO. 10/070698

INTERNATIONAL APPLICATION NO.  
PCT/US00/42328

ATTORNEY'S DOCKET NUMBER  
1032-P02047US1

21. ☒ The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):**

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO. . . . . \$1040.00

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO . . . . . \$890.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO  
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO . . . . . \$740.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
but all claims did not satisfy provisions of PCT Article 33(1)-(4) . . . . . \$710.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
and all claims satisfied provisions of PCT Article 33(1)-(4) . . . . . \$100.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

**CALCULATIONS PTO USE ONLY**

\$ 100.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total/claims	21 - 20 =	1	x \$18.00

\$

Independent claims	5 - 3 =	2	x \$84.00
--------------------	---------	---	-----------

\$

MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$280.00
---	--	--	------------

\$

**TOTAL OF ABOVE CALCULATIONS =**

\$

☐ Applicant claims small entity status See 37 CFR 1.27. The fees indicated above  
are reduced by 1/2. +

\$

**SUBTOTAL =**

\$

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(f)).

\$

**TOTAL NATIONAL FEE =**

\$

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$

**TOTAL FEES ENCLOSED =**

\$ 286.00

Amount to be  
refunded:

\$

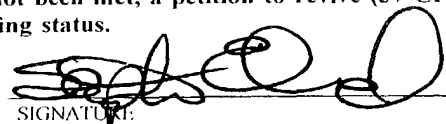
charged:

\$

- a. ☒ A check in the amount of \$ 286.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 04-1406. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card  
information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR  
1.137 (a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO  
Stephen H. Eland Reg. No 41,010  
1601 Market Street  
Suite 720  
Philadelphia, PA 19103

  
SIGNATURE:

Stephen H. Eland

NAME

41,010

REGISTRATION NUMBER



10030698-120512  
JC14 Rec'd PCT/PTO 02 MAY 2002

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of **Barker**

Application No. 10/070,698

Attorney Docket No. 1032-P02047US1

Filed: November 29, 2000

For: Combination Safety Needle  
Assembly and Medical Apparatus

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this Petition and accompanying papers are being deposited on April 22, 2002 with the United States Postal Service as first-class mail in an envelope properly addressed to COMMISSIONER OF PATENTS AND TRADEMARKS, Washington, DC 20231

April 22, 2002  
Date of Certificate

  
Stephen H. Eland  
PTO Registration No. 41,010

**PETITION TO MAKE SPECIAL**

Petition is made to have this application made special, as it is related to the prevention of HIV/AIDS. The handling of medical devices after a needle is withdrawn from a patient can result in transmission of various pathogens, most notably human immune virus (HIV), due to an inadvertent needle stick to medical personnel. The present application is related to medical devices that shield the contaminated needle after use to prevent inadvertent needle sticks, thereby preventing the spread of HIV.

Patent Application No. 10/070,698

The fee required under 37C. F. R. 1.17 (h) is enclosed as indicated on the enclosed fee transmittal.

Respectfully submitted,

DANN, DORFMAN, HERRELL & SKILLMAN  
A Professional Corporation  
Attorneys for Applicant(s)

By



Stephen H. Eland  
PTO Registration No. 41,010

Telephone: (215) 563-4100  
Facsimile: (215) 563-4044

05/03/2002 MAIL11 00000000 10070698

01 FC:122

130.00 OP



# FEE TRANSMITTAL

## Complete if known

Application Number: 10/070,698

Filing Date:

First Named Inventor: Barker

Group Art Unit:

Examiner Name:

Total Amt. of Payment: (1)+(2)+(3)= **\$130**

Attorney Docket Number: 1032-P02047US1

### METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to:

☐ Charge indicated fees

☒ Charge additional fees

☒ Credit overpayments

to the account of DANN, DORFMAN, HERRELL & SKILLMAN

Deposit Account Number 04-1406

2. Payment enclosed:

Check in the amount of \$130

### FEE CALCULATION

#### 1. FILING FEE

##### Fee Description

Utility filing fee

Design filing fee

Plant filing fee

Reissue filing fee

Fee

SUBTOTAL (1) \$0

### FEE CALCULATION (continued)

#### ADDITIONAL FEES

##### Fee Description

##### Fee Paid

Surcharge-late filing fee or oath

Surcharge - late provisional filing fee or cover sheet

Extension for response within month

Notice of Appeal

Filing a brief in support of an appeal

Request for oral hearing

Petition to revive unavoidably abandoned appl.

Petition to revive unintentionally abandoned appl.

Issue fee

Petitions to the Commissioner

Petitions related to provisional applications

Submission of Information Disclosure Stmt.

Recording each patent assignment per property

Other fee (specify) \_\_\_\_\_

130

SUBTOTAL (3) \$130

#### 2. Claims

Paid Extr Fee

Total Claims - = 0 x 18 = 0

Independent Claims - = 0 x 84 = 0

Multiple Dependent  
(First presentation)

SUBTOTAL (2) \$0

Submitted By:

Typed or

Printed Name Stephen H. Eland

Reg. Number 41,010

Signature

Date April 22, 2002

04-1406

Deposit Account User ID

# FEE TRANSMITTAL

Application Number: 10/070,698

Filing Date:

First Named Inventor: Barker

**Group Art Unit:**

Examiner Name:

**Total Amt. of Payment: (1)+(2)+(3)= \$130**

Attorney Docket Number: 1032-P02047US1

**FEE CALCULATION (continued)**

### ADDITIONAL FEES

### Fee Description

**Fee Paid**

**Surcharge-late filing fee or oath**

**Surcharge - late provisional filing fee or cover sheet**

Extension for response within month

## Notice of Appeal

## Filing a brief in support of an appeal

### Request for oral hearing

Petition to revive unavoidably abandoned appl.

Petition to revive unintentionally abandoned appl.

Issue fee

## Petitions to the Commissioner

130

### Petitions related to provisional applications

**Submission of Information Disclosure Stmt.**

Recording each patent assignment per property

Other fee (specify) \_\_\_\_\_

**SUBTOTAL (3)** \_\_\_\_\_ **\$130**

## 1. FILING FEE

**Fee**

### Fee Description

Utility filing fee

Design filing fee

Plant filing fee

Reissue filing fee

**SUBTOTAL (1) \_\_\_\_\_ \$0**

## 2. Claims

Paid	Extr	Fee
------	------	-----

**Total Claims** - = 0 x 18 = 0

Independent Claims - = 0 x 84 = 0

Multiple Dependent  
(First presentation)

**SUBTOTAL (2) \$0**

Typed or

Printed Name Stephen H. Eland

Reg. Number 41,010

Signature

Date April 22, 2002

04-1406

Deposit Account User ID